

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

FILED  
RICHARD W. NAGEL  
CLERK OF COURT

2020 JAN 16 AM 10:05

U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
WESTERN DIV. DAYTON

3:20 mj 027

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

Case No.

Priority Mail Express parcel label number EM072863986US, postmarked  
January 13, 2020, weighing 1 pound 9 ounces, addressed to DAN HARVARD,  
2395 S LINDA DR, BELLBROOK, OH 45305 [sic] with a return address of  
CeLestE BROWN, 2411 W Coolidge St, PHX, AZ 85015 [sic]

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Express Parcel Label Number EM072863986US

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of: Title 21

Code Section	Offense Description
841 (a) (1), 843 (b) & 846	Possession with intent to distribute a controlled substance
	Conspiracy to distribute a controlled substance
	Use of a communication facility to commit a felony

The application is based on these facts:

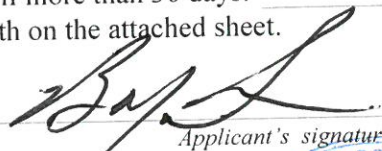
See attached affidavit of U.S. Postal Inspector Dorman

- ☒ Continued on the attached sheet.
- ☐ Delayed notice \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sworn to before me and signed in my presence.

Date: 1-16-20

City and state: Dayton, Ohio



Applicant's signature

Brad M. Dorman, U. S. Postal Inspector

Printed name and title



Judge's signature

Honorable Sharon L. Ovington  
United States Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
DAYTON, OHIO

STATE OF OHIO                     )  
  ) SS  
COUNTY OF MONTGOMERY )

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, BRAD M. DORMAN, HAVING BEEN DULY SWORN, DEPOSE AND STATE: I am a United States Postal Inspector and have been since August 2017. I am presently assigned to the Cincinnati Field Office of the United States Postal Inspection Service, Pittsburgh Division, with investigative responsibility for southeast Indiana and southern Ohio. Part of my responsibility involves investigating the use of the United States Mail in the transportation of narcotics, other dangerous controlled substances, and financial proceeds from, or instrumentalities used in, the sale of such narcotics and controlled substances (hereinafter, "Drugs and/or Proceeds").

Based on my training and experience as a United States Postal Inspector, I have become aware that drug traffickers frequently use United States Priority Mail Express (overnight) or Priority Mail (2-3-day) to transport Drugs and/or Proceeds. Additionally, as a result of prior investigations and successful controlled-substance prosecutions involving the use of the United States Mail, I have learned of certain characteristics and/or circumstances indicating that a parcel may contain Drugs and/or Proceeds. These circumstances and/or characteristics include, but are not necessarily limited to, the following: the mailer uses different post offices on the same day to send parcels, the return address is false or non-existent, the addressee is not known to receive mail at the listed delivery address, the parcel is heavily taped, the parcel is mailed from a known drug source location, the labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors are emanating from the parcel, and the listed address is located in an area of known or suspected drug activity.

On January 14, 2020, U.S. Postal Inspectors intercepted a parcel (hereinafter, the "Parcel") at the Dayton Processing and Distribution Center in Dayton, OH. The Parcel, which was sent overnight by United States Priority Mail Express, is a Priority Mail Express Flat Rate Envelope, bearing tracking number EM072863986US, weighing 1 pounds 9 ounces, postmarked January 13, 2020, with the following address information:

**Sender:** CeLestE BROWN  
2411 W CooliDgE St  
PHX, AZ 85015

**Addressee:** DAN HARVARD  
2395 S LINDA DR  
BELLBROOK, OH 45305

Through training and experience, I am aware that the Phoenix, Arizona area is a known drug source location.

I did a check in CLEAR of the addressee's information on the Parcel of DAN HARVARD, 2395 S LINDA DR, BELLBROOK, OH 45305. CLEAR is a law enforcement database that is used as a tool for investigators to identify person/business and address information. According to CLEAR, there is no "DAN HARVARD" associated with 2395 S LINDA DR, BELLBROOK, OH 45305.

I also did a check in CLEAR of the sender's information on the Parcel of CeLestE BROWN, 2411 W CooliDgE St, PHX, AZ 85015. According to CLEAR, "CeLestE BROWN" is not associated with 2411 W CooliDgE St, PHX, AZ 85015 and 2411 W CooliDgE St, PHX, AZ 85015 does not exist. A search with Google Maps also confirms 2411 W CooliDgE St, PHX, AZ 85015 does not exist as the addresses jump from 2407 to 2413.

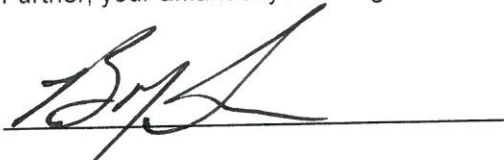
Later on January 15, 2020, at my request, Deputy Gerald Bemis of the Montgomery County Sheriff's Office conducted a narcotics-detection canine check of the Parcel. I was present for the check. The Parcel was placed in a controlled area and presented to narcotics-detection canine, "Jax." As set forth in the attached affidavit of Deputy Bemis, "Jax" alerted positively to the presence or odor of a narcotic or other controlled substance.



Based on my training and experience as a United States Postal Inspector, the lack of association between the sender and the sender's address, the lack of association between the recipient and the recipient's address, the Parcel being sent by United States Priority Mail Express from a known drug source location, and the positive alert of the narcotics-detection canine are indicative of Drugs and/or Proceeds in the Parcel.

Therefore, a search warrant to open the Parcel is requested.

Further, your affiant sayeth naught.



Brad M. Dorman  
U.S. Postal Inspector

Subscribed and sworn to and before me this 16<sup>th</sup> day of Jan, 2020.



Honorable Sharon L. Ovington  
United States Magistrate Judge



UNITED STATES POSTAL INSPECTION SERVICE

PITTSBURGH DIVISION

OFFICER AFFIDAVIT

I, Deputy GERALD BEMIS, am and have been employed by the MONTGOMERY COUNTY SHERIFF'S OFFICE since 1998. Among other duties, I am currently the assigned handler of narcotics detection canine "JAX" which is trained and certified in the detection of the presence or odor of narcotics described as follows:

Marijuana, Cocaine, Methamphetamine, and Heroin

On 01/15/2020, at the request of Postal Inspector DORMAN, I responded to the DAYTON P&DC, where "JAX" did alert to and indicate upon: [describe item]

**USPS Priority Express Mail Tracking # EM072863986US**

**TO: DAN HARVARD  
2395 S LINDA DR  
BELLBROOK, OH 45305**

**FROM: CeLestE BROWN  
2411 W CooliDgE St  
PHX, AZ 85015**

Which, based upon my training and experience and that of "JAX", indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

Deputy G. Bemis 77 1-15-2020  
(Signature, Badge #, and Date)

[Signature] 1/15/2020  
(Witness/Date)